

ORIGINAL

ARTHUR K. ROSS, ESQ.  
126 Queen St., Suite 210  
Honolulu, HI 96813  
Phone: (808) 521-4343

JACK SCHWEIGERT, ESQ.  
550 Halekauwila Street, Room 309  
Honolulu, HI 96813  
Phone: (808) 533-7491  
Facsimile: (808) 533-7490

RORY SOARES TOOMEY, ESQ.  
1088 Bishop Street, Suite 1004  
Honolulu, HI 96813  
Phone: 533-7162

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

OFELIA COLOYAN,	) CIV. NO. 03-476 KSC
	)
Plaintiff,	)
vs.	) PLAINTIFF'S OBJECTIONS TO
	) DEFENDANTS' PROPOSED
WILLIAM BADUA,	) EXHIBITS; CERTIFICATE OF
JEFFERY OMAI,	) SERVICE
SPENCER ANDERSON,	)
NEIL PANG,	) TRIAL WEEK: March 14, 2006
and DOES 5-10;	) JUDGE: Kevin S.C. Chang
	)
<u>Defendants.</u>	)

PLAINTIFF'S OBJECTIONS TO DEFENDANTS' PROPOSED EXHIBITS

COMES NOW PLAINTIFF OFELIA COLOYAN by and through counsel

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

MAR 13 2006

at 9 o'clock and 06 min. AM  
SUE BEITIA, CLERK

and notes her objections to Defendants' proposed exhibits as follows:

As to Exhibit 1; objection, relevance and foundation; for the document was never shown to Defendant Ofelia Coloyan.

As to Exhibit 18; objection, presumably the document will include all of the purported background checks done by Officer Badua for development of alternate addresses to find Allan Coloyan. However, there is a lack of foundation. Further, it is irrelevant in that Defendant Badua is arguing consent to the charge of an illegal search so that the background searches have no bearing on that issue. Further, even if relevant, the probative value of such relevance is outweighed substantially by danger of unfair prejudice, confusion of the issues, or misleading the jury, because this document has nothing to do with consent.

As to Exhibit 19; objection, presumably the document will include all of the purported background checks done by Officer Badua for development of alternate addresses to find Allan Coloyan. However, there is a lack of foundation. Further, it is irrelevant in that Defendant Badua is arguing consent to the charge of an illegal search so that the background searches have no bearing on that issue. Further, even if relevant, the probative value of such relevance is outweighed substantially by danger of unfair prejudice, confusion of the issues, or misleading the jury, because this document has nothing to do with consent.

As to Exhibit 20; objection, presumably the document will include all of the purported background checks done by Officer Badua for development of alternate addresses to find Allan Coloyan. However, there is a lack of foundation. Further, it is irrelevant in that Defendant Badua is arguing consent to the charge of an illegal search so that the background searches have no bearing on that issue. Further, even if relevant, the probative value of such relevance is outweighed substantially by danger of unfair prejudice, confusion of the issues, or misleading the jury, because this document has nothing to do with consent.

As to Exhibit 21; objection, presumably the document will include all of the purported background checks done by Officer Badua for development of alternate addresses to find Allan Coloyan. However, there is a lack of foundation. Further, it is irrelevant in that Defendant Badua is arguing consent to the charge of an illegal search so that the background searches have no bearing on that issue. Further, even if relevant, the probative value of such relevance is outweighed substantially by danger of unfair prejudice, confusion of the issues, or misleading the jury, because this document has nothing to do with consent.

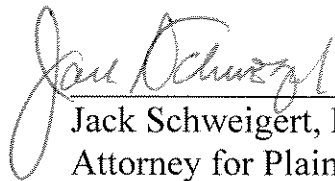
As to Exhibit 22; objection, presumably the document will include all of the purported background checks done by Officer Badua for development of alternate addresses to find Allan Coloyan. However, there is a lack of foundation. Further, it is irrelevant in that Defendant Badua is arguing consent to the charge of an

illegal search so that the background searches have no bearing on that issue. Further, even if relevant, the probative value of such relevance is outweighed substantially by danger of unfair prejudice, confusion of the issues, or misleading the jury, because this document has nothing to do with consent.

As to Exhibit 23; the same objections as noted in Plaintiff's Opposition to Defendants William P. Badua, Jeffrey Omai and Spencer Anderson's Designation of Oral Deposition of Byron a. Eliashof, M.D., taken on February 23, 2006 are incorporated herein by reference.

As to Exhibit 24; the same objections as noted in Plaintiff's Opposition to Defendants William P. Badua, Jeffrey Omai and Spencer Anderson's Designation of Oral Deposition of Byron a. Eliashof, M.D., taken on February 23, 2006 are incorporated herein by reference.

DATED: Honolulu, Hawaii; March 10, 2006.

  
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Jack Schweigert, Esq.  
Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII


OFELIA COLOYAN,	)	CIV. NO. 03-476 KSC
	)	
Plaintiff,	)	CERTIFICATE OF SERVICE
vs.	)	
	)	
WILLIAM BADUA,	)	
JEFFERY OMAI,	)	
SPENCER ANDERSON,	)	
NEIL PANG,	)	
and DOES 5-10;	)	
	)	
Defendants.	)	

CERTIFICATE OF SERVICE

The below-signed hereby certifies that on March 10, 2006 one copy of the attached document was served on the below named individual by fax transmittal to 523-4583 and one copy mailed U.S. first class postage prepaid addressed as follows:

Kendra K. Kawai, Esq.  
Deputy Corporation Counsel  
530 S. King Street, Room 110  
City & County of Honolulu  
Honolulu, HI 96813

Attorney for Defendants

  
\_\_\_\_\_  
Person certifying service